

**Arguments/Remarks**

Claims 1-19 remain in this application. Certain formal amendments have been made throughout the claims for purposes of clarity. These formal amendments are directed to form only and not substance. Various occurrences of "means" have been removed from the claims to make clear that the claimed invention is not limited to the specific embodiments disclosed in this application.

Claims 1, 3 and 4 have been amended to delete the phrase "focusing assembler" and "focusing assembly." In their place is the phrase "limiter assembly" which appears in the specification. One of the many possible embodiments of the limiter assembly is disclosed in the specification and shown in the drawings as element 46. It is submitted that these claims are now definite.

The word "pickoff" is defined in the specification, for example, on page 9, line 2. The word "means" has been amended to "member" so as to make clear that the invention is not limited to the specific embodiments that are disclosed in the specification and drawings here.

The Examiner further rejects the application under 35 U.S.C. Section 102 as anticipated by Sheffield (U.S. Patent 5,960,013). Sheffield is cited in the pending application on page 4 as prior art.

Sheffield refers to a "selection device 25 for selecting characteristics of the optical pulse, such as frequency or amplitude, to control the resulting output light pulse." Col. 3, lines 13-15. No specific example of a device 25 to limit runaway problems is made.

In Col. 4, lines 1-6, a selection device 50 is referred to as gratings, gas cells, and other frequency controlling devices can be used to give very narrow output frequency tuning. Also, time varying optical devices, such as Pockels cells and acoustooptic modulators can be used for both temporal amplitude and frequency control of the output FEL beam. No selection device 50 appears in Fig. 1 or Fig. 2 of Sheffield.

The present invention is for runaway control not frequency selection. A Pockels cell is a crystal typically potassium dehydrogen phosphate placed between crossed polarizers and containing ring electrodes to modulate laser beams at high frequency. It does not prevent runaway. Acoustooptic modulators are frequency devices.

All of Sheffield teaches to tuning of frequency. While lip service to power limits might be made, no example of how to achieve such control is offered. Fig. 2 of Sheffield is an example of a runaway feedback loop that was a problem with the Sheffield design. Sheffield can easily self-destruct.

//

//

//

//

//

//

//

//

Appl No.: 09/769,111  
Amdt Dated: December 22, 2003  
Reply to Office Action Of Sept. 25, 2003

Express Mail No.: EL 979848912 US  
Date of Deposit : December 22, 2003


The present invention is a device that goes in the feedback loop  
to prevent runaway power buildup.

The Examiner is respectfully requested to withdraw his 35 U.S.C.  
Section 102 rejection and issue a timely Notice of Allowance in this  
case.

Respectfully submitted,

BRUNTON & JAGGER.

Dated: 12-22-03

  
Bruce A. Jagger,  
Registration No. 19,968  
Attorney for Applicant

BRUNTON & JAGGER  
P.O. Box 29000  
Glendale, CA 91209-9000  
Tel. (818) 549-8595  
Fax (818) 549-8477